

Chapter 2

Management and Personnel

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- 2-2 EMPLOYEE HEALTH
- 2-3 PERSONAL CLEANLINESS
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2-1 SUPERVISION

Subparts

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Responsibility 2-101.11 Assignment.

The PERMIT HOLDER shall be the PERSON IN CHARGE or shall designate a PERSON IN CHARGE and shall ensure that a PERSON IN CHARGE is present at the FOOD ESTABLISHMENT during all hours of operation.

Knowledge 2-102.11 Demonstration.

Based on the RISKS of foodborne illness inherent to the FOOD operation, during inspections and upon request the PERSON IN CHARGE shall demonstrate to the REGULATORY AUTHORITY knowledge of foodborne disease prevention, application of the HAZARD Analysis CRITICAL CONTROL POINT principles, and the requirements of this Code. The PERSON IN CHARGE shall demonstrate this knowledge by:

- (A) Complying with this Code;
 - (B) Being a certified FOOD protection manager who has shown proficiency of required information through passing a test that is part of an ACCREDITED PROGRAM; or
 - (C) Responding correctly to the inspector's questions as they relate to the specific FOOD operation.
- The areas of knowledge include:
- (1) Describing the relationship between the prevention of foodborne disease and the personal hygiene of a FOOD EMPLOYEE;
 - (2) Explaining the responsibility of the PERSON IN CHARGE for preventing the transmission of foodborne disease by a FOOD EMPLOYEE who has a disease or medical condition that may cause foodborne disease;
 - (3) Describing the symptoms associated with the diseases that are transmissible through FOOD;
 - (4) Explaining the significance of the relationship between maintaining the time and temperature of POTENTIALLY HAZARDOUS FOOD and the prevention of foodborne illness;
 - (5) Explaining the HAZARDS involved in the consumption of raw or undercooked MEAT, POULTRY, EGGS, and FISH;
 - (6) Stating the required FOOD temperatures and times for safe cooking of POTENTIALLY HAZARDOUS FOOD including MEAT, POULTRY, EGGS, and FISH;
 - (7) Stating the required temperatures and times for the safe refrigerated storage, hot holding, cooling, and reheating of POTENTIALLY HAZARDOUS FOOD;
 - (8) Describing the relationship between the prevention of foodborne illness and the management and control of the following:
 - (a) Cross contamination,
 - (b) Hand contact with READY-TO-EAT FOODS,
 - (c) Handwashing, and
 - (d) Maintaining the FOOD ESTABLISHMENT in a clean condition and in good repair;
 - (9) Explaining the relationship between FOOD safety and providing EQUIPMENT that is:
 - (a) Sufficient in number and capacity, and
 - (b) Properly designed, constructed, located, installed, operated, maintained, and cleaned;
 - (10) Explaining correct procedures for cleaning and SANITIZING UTENSILS and FOOD-CONTACT SURFACES of EQUIPMENT;
 - (11) Identifying the source of water used and measures taken to ensure that it remains protected from contamination such as providing protection from backflow and precluding the creation of cross connections;
 - (12) Identifying POISONOUS OR TOXIC MATERIALS in the FOOD ESTABLISHMENT and the procedures necessary to ensure that they are safely stored, dispensed, used, and disposed of according to

LAW;

(13) Identifying CRITICAL CONTROL POINTS in the operation from purchasing through sale or service that when not controlled may contribute to the transmission of foodborne illness and explaining steps taken to ensure that the points are controlled in accordance with the requirements of this Code;

(14) Explaining the details of how the PERSON IN CHARGE and FOOD EMPLOYEES comply with the HACCP PLAN if a plan is required by the LAW, this Code, or an agreement between the REGULATORY AUTHORITY and the establishment; and

(15) Explaining the responsibilities, rights, and authorities assigned by this Code to the:

(a) FOOD EMPLOYEE,

(b) PERSON IN CHARGE, and

(c) REGULATORY AUTHORITY.

Duties

2-103.11 PERSON IN CHARGE.

The PERSON IN CHARGE shall ensure that:

(A) FOOD ESTABLISHMENT operations are not conducted in a private home or in a room used as living or sleeping quarters as specified under § 6-202.111;

(B) PERSONS unnecessary to the FOOD ESTABLISHMENT operation are not allowed in the FOOD preparation, FOOD storage, or WAREWASHING areas, except that brief visits and tours may be authorized by the PERSON IN CHARGE if steps are taken to ensure that exposed FOOD; clean EQUIPMENT, UTENSILS, and LINENS; and unwrapped SINGLE-SERVICE and SINGLE-USE ARTICLES are protected from contamination;

(C) EMPLOYEES and other PERSONS such as delivery and maintenance PERSONS and pesticide applicators entering the FOOD preparation, FOOD storage, and WAREWASHING areas comply with this Code;

(D) EMPLOYEES are effectively cleaning their hands, by routinely monitoring the EMPLOYEES' handwashing;

(E) EMPLOYEES are visibly observing FOODS as they are received to determine that they are from APPROVED sources, delivered at the required temperatures, protected from contamination, UNADULTERATED, and accurately presented, by routinely monitoring the EMPLOYEES' observations and periodically evaluating FOODS upon their receipt;

(F) EMPLOYEES are properly cooking POTENTIALLY HAZARDOUS FOOD, being particularly careful in cooking those FOODS known to cause severe foodborne illness and death, such as EGGS and COMMINUTED MEATS, through daily oversight of the EMPLOYEES' routine monitoring of the cooking temperatures using appropriate TEMPERATURE MEASURING DEVICES properly scaled and calibrated as specified under § 4-203.11 and ¶ 4-502.11(B);

(G) EMPLOYEES are using proper methods to rapidly cool POTENTIALLY HAZARDOUS FOODS that are not held hot or are not for consumption within 4 hours, through daily oversight of the EMPLOYEES' routine monitoring of FOOD temperatures during cooling;

(H) CONSUMERS who order raw or partially cooked READY-TO-EAT FOODS of animal origin are informed as specified under § 3-603.11 that the FOOD is not cooked sufficiently to ensure its safety;

(I) EMPLOYEES are properly SANITIZING cleaned multiuse EQUIPMENT and UTENSILS before they are reused, through routine monitoring of solution temperature and exposure time for hot water SANITIZING, and chemical concentration, pH, temperature, and exposure time for chemical SANITIZING;

(J) CONSUMERS are notified that clean TABLEWARE is to be used when they return to self-service areas such as salad bars and buffets as specified under § 3-304.16;

(K) Except when otherwise approved as specified in 3-301.11(B), EMPLOYEES are preventing cross-contamination of READY-TO-EAT FOOD with bare hands by properly using suitable UTENSILS such as deli tissue, spatulas, tongs, SINGLE-USE gloves, or dispensing EQUIPMENT; and

(L) EMPLOYEES are properly trained in FOOD safety as it relates to their assigned duties.

Food Worker Cards

2-103.12 Food Worker Cards. [WAC 246-215-021]

(A) The PERMIT HOLDER and PERSON IN CHARGE of the FOOD ESTABLISHMENT must ensure that all FOOD EMPLOYEES are in compliance with the provisions of chapter 69.06 RCW and chapter 246-217 WAC for obtaining and renewing valid FOOD WORKER CARDS.

(B) The PERMIT HOLDER and PERSON IN CHARGE of the FOOD ESTABLISHMENT must display or file the original or a copy of the FOOD WORKER CARD of each FOOD EMPLOYEE at the EMPLOYEE's place of employment, to be available for inspection by the REGULATORY AUTHORITY upon request.

(C) This section does not add to, or remove from, the provisions of chapter 69.06 RCW and chapter 246-217 WAC regarding FOOD WORKER CARDS.

2-201.11 Employee Health. [WAC 246-215-251]

The provisions of this subpart replace the provisions of FOOD CODE part 2-2, regarding EMPLOYEE health.

Ill Employees Restricted From Work

(A) FOOD EMPLOYEES must not work in or around any place where unwrapped or unPACKAGED FOOD or BEVERAGE products are prepared, sold, or offered for sale if they know themselves to have:

- (1) A symptom of gastrointestinal infection such as diarrhea, vomiting, or jaundice, except as provided in Paragraph (H) of this section;
- (2) A diagnosed infection by a disease agent that can be transmitted from a FOOD EMPLOYEE through FOOD, including *Salmonella* spp., *Shigella* spp., SHIGA TOXIN-PRODUCING *ESCHERICHIA COLI*, or hepatitis A virus; or
- (3) A lesion that appears inflamed or contains pus, such as a boil or infected wound, and that is not covered with:
 - (a) An impermeable cover and a SINGLE-USE glove if the lesion is on a hand or wrist;
 - (b) An impermeable cover if the lesion is on an arm; or
 - (c) A dry, durable, tight fitting bandage if the lesion is on another part of the body.

Ill Employees Must Report

(B) FOOD EMPLOYEES must immediately report to the PERSON IN CHARGE when they know they have:

- (1) A symptom of gastrointestinal infection, as described in subsection (A)(1) of this section;
- (2) A diagnosed infection by a disease agent that can be transmitted from a FOOD EMPLOYEE through FOOD, including *Salmonella* spp., *Shigella* spp., SHIGA TOXIN-PRODUCING *ESCHERICHIA COLI*, or hepatitis A virus; or
- (3) A lesion that appears inflamed or contains pus and that is not covered as described in subsection (A)(3) of this section.

Notify Health Authority

(C) The PERSON IN CHARGE of the FOOD ESTABLISHMENT must notify the REGULATORY AUTHORITY about any FOOD EMPLOYEE known to have:

- (1) Jaundice, except as provided in Paragraph (H) of this section; or
- (2) An infection by a disease agent that can be transmitted from a FOOD EMPLOYEE through FOOD, including *Salmonella* spp., *Shigella* spp., SHIGA TOXIN-PRODUCING *ESCHERICHIA COLI*, or hepatitis A virus.

Employee Restriction

(D) The PERSON IN CHARGE of a FOOD ESTABLISHMENT must RESTRICT any FOOD EMPLOYEE from working in or around any place where unwrapped or unPACKAGED FOOD or beverage products are prepared, sold, or offered for sale who is known to have:

- (1) A symptom of gastrointestinal infection such as diarrhea, vomiting, or jaundice, except as provided in Paragraph (H) of this section;
- (2) An infection by a disease agent that can be transmitted from a FOOD EMPLOYEE through FOOD including *Salmonella* spp., *Shigella* spp., SHIGA TOXIN-PRODUCING *ESCHERICHIA COLI*, or hepatitis A virus; or
- (3) A lesion that appears inflamed or contains pus and that is not covered as described in subsection (A)(3) of this section.

Highly Susceptible Population

(E) If the population served by the FOOD ESTABLISHMENT is a HIGHLY SUSCEPTIBLE POPULATION, the PERSON IN CHARGE must EXCLUDE from the ESTABLISHMENT any FOOD EMPLOYEE who is known to have:

- (1) A current symptom of diarrhea, vomiting, or jaundice, except as provided in Paragraph (H) of this section;
- (2) An infection by *Salmonella* Typhi within the last three months unless approved to be released from EXCLUSION by the REGULATORY AUTHORITY; or
- (3) An infection by *Shigella* spp., SHIGA TOXIN-PRODUCING *ESCHERICHIA COLI*, hepatitis A virus, or a *Salmonella* spp. other than *Salmonella* Typhi within the last month unless approved to be released from EXCLUSION by the REGULATORY AUTHORITY.

Aiding Illness Investigations (F) The PERSON IN CHARGE of a FOOD ESTABLISHMENT and all EMPLOYEES must cooperate with public health officials investigating:

- (1) An illness outbreak associated with FOOD;
- (2) An illness outbreak suspected to be associated with FOOD; or
- (3) A FOOD EMPLOYEE suspected to be infected with a disease agent that can be transmitted from a FOOD EMPLOYEE through FOOD.

Excluding Food Employees (G) The PERSON IN CHARGE of a FOOD ESTABLISHMENT and FOOD EMPLOYEES must comply with orders issued by the REGULATORY AUTHORITY for EXCLUDING EMPLOYEES from a FOOD ESTABLISHMENT or RESTRICTING EMPLOYEE activities due to a diagnosed or suspected infection by a disease agent that can be transmitted from a FOOD EMPLOYEE through FOOD until the REGULATORY AUTHORITY rescinds the order based on:

- (1) Provisions of FOOD CODE part 8-5, regarding prevention of foodborne disease transmission by EMPLOYEES; or
- (2) Disease information contained in *Control of Communicable Diseases Manual*, 17th edition, James Chin (editor), American Public Health Association, 2000.

Other Conditions (H) A FOOD EMPLOYEE with a symptom of gastrointestinal illness, such as diarrhea or jaundice, may work in FOOD service without special restriction, provided that the FOOD EMPLOYEE furnishes written medical documentation to the REGULATORY AUTHORITY from a licensed physician, nurse practitioner, or physician assistant that the symptom is due to a medical condition not transmissible through FOOD, such as Crohn's disease, irritable bowel syndrome, ulcerative colitis, or hepatitis C.

2-3	PERSONAL CLEANLINESS
Subparts	
2-301	Hands and Arms
2-302	Fingernails
2-303	Jewelry
2-304	Outer Clothing

Hands and Arms **2-301.11 Clean Condition.**
FOOD EMPLOYEES shall keep their hands and exposed portions of their arms clean.

Cleaning Procedure **2-301.12 Cleaning Procedure.**
(A) Except as specified in ¶ (B) of this section, FOOD EMPLOYEES shall clean their hands and exposed portions of their arms (or surrogate prosthetic devices for hands or arms) for at least 20 seconds, using a cleaning compound in a lavatory that is equipped as specified under § 5-202.12.
(B) FOOD EMPLOYEES shall use the following cleaning procedure:

- (1) Vigorous friction on the surfaces of the lathered fingers, finger tips, areas between the fingers, hands and arms (or by vigorously rubbing the surrogate prosthetic devices for hands or arms) for at least 10 to 15 seconds, followed by;
- (2) Thorough rinsing under clean, running warm water; and
- (3) Immediately follow the cleaning procedure with thorough drying of cleaned hands and arms (or surrogate prosthetic devices) using a method as specified under § 6-301.12.

(C) FOOD EMPLOYEES shall pay particular attention to the areas underneath the fingernails during the cleaning procedure.
(D) *If APPROVED and capable of removing the types of soils encountered in the FOOD operations involved, an automatic handwashing facility may be used by FOOD EMPLOYEES to clean their hands.*

2-301.13 Special Handwash Procedures.
This section is reserved for possible revision and reinstatement by the FDA.

When to Wash **2-301.14 When to Wash.**
FOOD EMPLOYEES shall clean their hands and exposed portions of their arms as specified under § 2-301.12 immediately before engaging in FOOD preparation including working with exposed FOOD, clean EQUIPMENT and UTENSILS, and unwrapped SINGLE-SERVICE and SINGLE-USE ARTICLES and:

- (A) After touching bare human body parts other than clean hands and clean, exposed portions of arms;
- (B) After using the toilet room;

- (C) After caring for or handling SERVICE ANIMALS or aquatic animals as specified in ¶ 2-403.11(B);
- (D) Except as specified in ¶ 2-401.11(B), after coughing, sneezing, using a handkerchief or disposable tissue, using tobacco, eating, or drinking;
- (E) After handling soiled EQUIPMENT or UTENSILS;
- (F) During FOOD preparation, as often as necessary to remove soil and contamination and to prevent cross contamination when changing tasks;
- (G) When switching between working with raw FOOD and working with READY-TO-EAT FOOD;
- (H) Before donning gloves for working with FOOD; and
- (I) After engaging in other activities that contaminate the hands.

Where to Wash

2-301.15 Where to Wash.

FOOD EMPLOYEES shall clean their hands in a handwashing lavatory or APPROVED automatic handwashing facility and may not clean their hands in a sink used for FOOD preparation or WAREWASHING, or in a service sink or a curbed cleaning facility used for the disposal of mop water and similar liquid waste.

Hand Sanitizers

2-301.16 Hand Sanitizers.

(A) A hand sanitizer and a chemical hand sanitizing solution used as a hand dip shall:

(1) Comply with one of the following:

- (a) Be an APPROVED drug that is listed in the FDA publication Approved Drug Products with Therapeutic Equivalence Evaluations as an APPROVED drug based on safety and effectiveness; or
- (b) Have active antimicrobial ingredients that are listed in the FDA monograph for OTC Health-Care Antiseptic Drug Products as an antiseptic handwash, and

(2) Comply with one of the following:

- (a) Have components that are exempted from the requirement of being listed in federal FOOD ADDITIVE regulations as specified in 21 CFR 170.39 - Threshold of Regulation For Substances Used in Food-Contact Articles; or

(b) Comply with and be listed in:

- (i) 21 CFR 178 - Indirect Food Additives: Adjuvants, Production Aids, and Sanitizers as regulated for use as a FOOD ADDITIVE with conditions of safe use, or
- (ii) 21 CFR 182 - Substances Generally Recognized as Safe, 21 CFR 184 - Direct Food Substances Affirmed as Generally Recognized as Safe, or 21 CFR 186 - Indirect Food Substances Affirmed as Generally Recognized as Safe for use in contact with FOOD; and

(3) Be applied only to hands that are cleaned as specified under § 2-301.12.

(B) If a hand sanitizer or a chemical hand sanitizing solution used as a hand dip does not meet the criteria specified under Subparagraph (A)(2) of this section, use shall be:

- (1) Followed by thorough hand rinsing in clean water before hand contact with FOOD or by the use of gloves; or
- (2) Limited to situations that involve no direct contact with FOOD by the bare hands.

(C) A chemical hand sanitizing solution used as a hand dip shall be maintained clean and at a strength equivalent to at least 100 mg/L chlorine.

Fingernails

2-302.11 Maintenance.

(A) FOOD EMPLOYEES shall keep their fingernails trimmed, filed, and maintained so the edges and surfaces are cleanable and not rough.

(B) *Unless wearing intact gloves in good repair*, a FOOD EMPLOYEE may not wear fingernail polish or artificial fingernails *while preparing FOOD*. [Amended by WAC 246-215-031(1)]

Jewelry

2-303.11 Prohibition.

While preparing FOOD, FOOD EMPLOYEES may not wear jewelry on their arms or hands. *This section does not apply to a wedding or engagement ring covered by a glove in good repair.* [Amended by WAC 246-215-031(2)]

Outer Clothing

2-304.11 Clean Condition.

FOOD EMPLOYEES shall wear clean outer clothing to prevent contamination of FOOD, EQUIPMENT, UTENSILS, LINENS, and SINGLE-SERVICE and SINGLE-USE ARTICLES.

2-4	HYGIENIC PRACTICES
	Subparts
2-401	Food Contamination Prevention
2-402	Hair Restraints
2-403	Animals

**Food
Contamination
Prevention**

2-401.11 Eating, Drinking, or Using Tobacco.

(A) Except as specified in ¶ (B) of this section, an EMPLOYEE shall eat, drink, or use any form of tobacco only in designated areas where the contamination of exposed FOOD; clean EQUIPMENT, UTENSILS, and LINENS; unwrapped SINGLE-SERVICE and SINGLE-USE ARTICLES; or other items needing protection can not result.

(B) A FOOD EMPLOYEE may drink from a closed BEVERAGE container if the container is handled to prevent contamination of:

- (1) The EMPLOYEE'S hands;
- (2) The container; and
- (3) Exposed FOOD; clean EQUIPMENT, UTENSILS, and LINENS; and unwrapped SINGLE-SERVICE and SINGLE-USE ARTICLES.

2-401.12 Discharges from the Eyes, Nose, and Mouth.

FOOD EMPLOYEES experiencing persistent sneezing, coughing, or a runny nose that causes discharges from the eyes, nose, or mouth may not work with exposed FOOD; clean EQUIPMENT, UTENSILS, and LINENS; or unwrapped SINGLE-SERVICE or SINGLE-USE ARTICLES.

**Hair
Restraints**

2-402.11 Effectiveness.

(A) Except as provided in ¶ (B) of this section, FOOD EMPLOYEES shall wear hair restraints such as hats, hair coverings or nets, beard restraints, and clothing that covers body hair, that are designed and worn to effectively keep their hair from contacting exposed FOOD; clean EQUIPMENT, UTENSILS, and LINENS; and unwrapped SINGLE-SERVICE and SINGLE-USE ARTICLES.

(B) This section does not apply to FOOD EMPLOYEES such as counter staff who only serve BEVERAGES and wrapped or PACKAGED FOODS, hostesses, and wait staff if they present a minimal RISK of contaminating exposed FOOD; clean EQUIPMENT, UTENSILS, and LINENS; and unwrapped SINGLE-SERVICE and SINGLE-USE ARTICLES.

Animals

2-403.11 Handling Prohibition.

(A) Except as specified in ¶ (B) of this section, FOOD EMPLOYEES may not care for or handle animals that may be present such as patrol dogs, SERVICE ANIMALS, or pets that are allowed as specified in Subparagraphs 6-501.115(B)(2)-(5).

(B) FOOD EMPLOYEES with SERVICE ANIMALS may handle or care for their SERVICE ANIMALS and FOOD EMPLOYEES may handle or care for FISH in aquariums or MOLLUSCAN SHELLFISH or crustacea in display tanks if they wash their hands as specified under § 2-301.12 and ¶ 2-301.14(C).